

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

|                           |   |                           |
|---------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, | ) |                           |
|                           | ) |                           |
| Plaintiff,                | ) |                           |
|                           | ) |                           |
| v.                        | ) | No. 3:15-cr-00030-RLY-MPB |
|                           | ) |                           |
| ERIC K. SHORT,            | ) | -01                       |
|                           | ) |                           |
| Defendant.                | ) |                           |

**REPORT AND RECOMMENDATION**

On February 22, 2021, the Court held an Initial Appearance on a Warrant for Violation of Supervised Release. ([Docket No. 93](#)). On August 17, 2021, the Court held the Final Hearing on Revocation of Supervised Release. Defendant Short appeared in person and with counsel Steve Bohleber. The government appeared by Lauren Wheatley, Assistant United States Attorney. The United States Probation and Parole Office appeared by Officer Katrina Sanders.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Short of his rights and provided him with a copy of the petition. Defendant Short waived his right to a preliminary hearing.
2. After being placed under oath, Defendant Short was called as a Witness and denied the allegations in violation #1. ([Docket No. 93](#)).
3. Witnesses Katrina Sanders and Susan Frasier from the United States Probation Office were sworn and provided testimony.
4. The allegations fully set forth in the petition, are:

|  | Violation Number | Nature of Noncompliance   |
|--|------------------|---|
|  | 1                | <p>"The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance."</p> <p>The offender submitted specimens for drug screens on January 7 and 28, and February 8, 2021. All tests returned positive results for amphetamines, and were confirmed for methamphetamine. The offender claimed he last used methamphetamine prior to January 19, 2021.</p> <p>As previously reported to the Court, on December 11, 2020, the offender tested positive for amphetamines and methamphetamines (confirmed). On January 7, 2021, the offender admitted to using methamphetamine.</p> |
|  |                  |   |

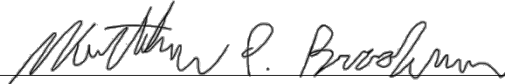
5. The Court finds that:

- (a) The highest grade of violation is a Grade B violation.
- (b) Defendant's criminal history category is VI.
- (c) The advisory range of imprisonment applicable upon revocation of supervised release, therefore, is 21-24 months' imprisonment.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he be sentenced to custody of the Attorney General or his designee for a period of twenty-one (21) months, with no further supervision upon release from the Bureau of Prisons.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Judge.

Dated: August 17, 2021

A handwritten signature in cursive script, reading "Matthew P. Brookman", is positioned above a horizontal line.

Matthew P. Brookman  
United States Magistrate Judge  
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email generated by the court's ECF system

United States Probation Office, United States Marshal